

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re: :

Chapter 11

2626 BWAY LLC, : Case No. 10-14731 (SCC)

Debtor. :

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2626 BWAY LLC, :

Plaintiff,

-against- :

BROADWAY METRO ASSOCIATES, LP,
ALBERT BIALEK, HOWARD W. SEGAL, Adv. Pro. No. 10-04086-scc
P.C. AND HOWARD W. SEGAL, ESQ., :

Defendants.

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STIPULATION AND ORDER

WHEREAS, by the November 12, 2010 Order Granting Motion to Vacate the Automatic Stay and for Other Related Relief in this bankruptcy case, the time of Broadway Metro Associates, LP (“Landlord”) to answer or move with respect to this adversary proceeding was extended through to December 10, 2010;

WHEREAS, Landlord and the other defendants in this adversary proceeding by notice of motion dated November 24, 2010 moved for an order of remand pursuant to 28 U.S.C. § 1452(b) and FRBP 9027(d) or, in the alternative, for abstention pursuant to 28 U.S.C. § 1334(c)(2) (the “Motion”); and

WHEREAS, the Motion is scheduled to be heard on December 15, 2010.

IT IS HEREBY ORDERED:

1. Defendants' time to answer or move with respect to this adversary proceeding is extended until the later of thirty (30) days from the date of this Order or seven (7) days after entry of an order determining the Motion;
2. This Order is effective upon entry thereof.

December 10, 2010

ROBINSON BROG LEINWAND GREENE
GENOVESE & GLUCK P.C.

By: /s/ Robert M. Sasloff

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SO ORDERED:

/S/ Shelley C. Chapman
HONORABLE SHELLEY C. CHAPMAN
UNITED STATES BANKRUPTCY JUDGE